

Public Hearing – March 7, 2022
Committee on Environment

Testimony Submitted by Commissioner Katie S. Dykes

Raised House Bill No. 5290– AN ACT PROHIBITING ACCESS TO STATE PARKS AND FORESTS FOR CERTAIN CONDUCT.

Thank you for the opportunity to present testimony in strong support of **Raised House Bill No. 5290 – AN ACT PROHIBITING ACCESS TO STATE PARKS AND FORESTS FOR CERTAIN CONDUCT**. The purpose of this bill is to increase the safety of staff and visitors to our state parks, forests and campgrounds, by creating a mechanism to temporarily exclude individuals whose criminal activity on these properties threatens that safety. DEEP **strongly supports** passage of this proposal and offers suggested amended language to the bill to strengthen its provisions.

Current law allows the Commissioner of DEEP to exclude individuals from our Parks, Forests and Campgrounds for up to a year, but only in the instance that such visitors have been convicted of an infraction violation of certain State Park regulations. This proposal would broaden that universe of offenses to include more serious crimes, not just infractions, and it would allow the exclusion to begin almost immediately, rather than waiting for the conclusion of the criminal process, when a conviction would be registered.

Property owners and business operators generally have the authority to exclude disruptive, dangerous or threatening people from their business or property. DEEP does not have such general authority when it comes to providing a safe environment in our Parks, Forests and Campgrounds. The lack of such authority limits DEEP's ability to provide for the safety of DEEP staff and the general public. DEEP experienced a few incidents in 2021 during which dangerous individuals threatened and assaulted park staff and made lewd and offensive comments towards other visitors. These incidents are rare but serious, and have brought to light the very limited authority the Department has to address these types of situations. Having the authority to exclude someone who has engaged in criminal activity while on our state's recreation lands for up to one year will allow a "cooling off" period, during which time the violating individual is separated from staff or other visitors, better ensuring everyone's safety.

Under current law, if someone is charged with a serious crime on our park lands, and DEEP feels that excluding the person from park property for some amount of time is needed to protect the public and DEEP staff, the mechanism allowed under current statute is to determine if there was also a violation of a park infraction, and to charge the person with that infraction violation as well. That approach may be difficult, depending on the circumstances of the criminal activity, arrest and arresting authority, and the arresting officer's knowledge of this difficult-to-implement statute. The current statute then requires the Commissioner to track whether the individual has paid their infraction fine (thereby being "convicted" of the offense) so that she may consider and implement a period of exclusion. All of this takes time, during which the individual can come

back to the park or campground to possibly engage further in their disruptive, threatening or assaultive behavior, further impacting the experience and safety of staff and visitors.

This bill identifies certain criminal activity that could result in an exclusion from our parks for a period of up to a year from the date of the activity. The specified activities include threatening or assaultive behavior directed at DEEP staff or other visitors, or vandalism of property. We would also suggest that the Committee add language related to criminal conduct that is lewd or otherwise disorderly. To that end, we would recommend that the Committee add language at line 24, after the words “or (2),” “engages in lewd or otherwise disorderly conduct in any state park or forest or (3)”

With this recommended change, DEEP believes that dangerous and threatening behavior by visitors can be addressed in a timely way to help ensure the safe enjoyment of our parks and forests.

Thank you for the opportunity to present testimony on this proposal, and we strongly urge your favorable consideration of this legislation. Should you have any questions, please do not hesitate to contact Harrison Nantz at Harrison.Nantz@ct.gov.